

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA  
AT \_\_\_\_\_

JUANITA W. AKINS

Plaintiff(s),

vs.

Wal-Mart Stores, Inc/b/a  
SAM's Club of Fairbanks, Alaska  
Store #6603

Defendant(s).

CASE NO. 4FA-12-1864 CI

SUMMONS  
AND  
NOTICE TO BOTH PARTIES  
OF JUDICIAL ASSIGNMENT

To Defendant: CT Corporation System, Registered Agent  
for Wal-Mart Stores, Inc.

You are hereby summoned and required to file with the court a written answer to the complaint which accompanies this summons. Your answer must be filed with the court at (address): 101 Lacey St, Fairbanks, Alaska 99701 within 20 days\* after the day you receive this summons.

In addition, a copy of your answer must be sent to:

Plaintiff's attorney or plaintiff (if unrepresented): JUANITA W. AKINS  
Address: 379 DIVISION ST #10  
FAIRBANKS, AK 99712

If you fail to file your answer within the required time, a default judgment may be entered against you for the relief demanded in the complaint.

If you are not represented by an attorney, you must inform the court and all other parties in this case, in writing, of your current mailing address and any future changes to your mailing address and telephone number. You may use court form *Notice of Change of Address / Telephone Number* (TF-955), available at the clerk's office or on the court system's website at [www.state.ak.us/courts/forms.htm](http://www.state.ak.us/courts/forms.htm), to inform the court.

-OR-

If you have an attorney, the attorney must comply with Alaska R. Civ. P. 5(i).

NOTICE OF JUDICIAL ASSIGNMENT

To: Plaintiff and Defendant

You are hereby given notice that this case has been assigned to Judge Ryle

(SEAL)

CLERK OF COURT

By: [Signature]  
Deputy Clerk

\* The state or a state officer or agency named as a defendant has 40 days to file its answer. If you have been served with this summons outside the United States, you also have 40 days to file your answer.

CIV-100 (2/06)(st.3)  
SUMMONS

Civil Rules 4, 5, 12, 42(c), 55

Exhibit B

Page 1 of 4 Pages

Juanita N. Akins, *Pro Se*  
379 Division St. #10  
Fairbanks, AK 99712  
(907) 457-2564 (h) / 347-3470 (c)

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

JUANITA N. AKINS,

Plaintiff,

vs.

WAL-MART STORES, INC., d/b/a/  
Sam's Club of Fairbanks, Alaska,  
Store #6603,

Defendant.

Case No. 4FA-12-1864 CI

FILED in the Trial Court  
State of Alaska, Fourth District

JUN 15 2012

By \_\_\_\_\_ Deputy

CIVIL COMPLAINT FOR DAMAGES

Juanita N. Akins (Akins) complains against defendant Wal-Mart Stores, Inc. (Wal-Mart) as follows:

JURISDICTION OF THIS COURT

1. Akins lives in Alaska and submits to this Court's full jurisdiction;
2. Wal-Mart does business in Alaska, the personal injuries alleged herein occurred during the course and scope of such business and Wal-Mart submits to this Court's full jurisdiction;
3. The incident giving rise to this lawsuit took place in Alaska so an Alaskan Court should decide this case;
4. This Court has jurisdiction pursuant to AS 09.05.015, AS 22.10.020, and/or AS 22.15.030;

//

Exhibit B

Page 2 of 4 Pages

### COMMON FACTS

5. On 07/17/2010, Akins was shopping at Defendant Wal-Mart's local Sam's Club of Fairbanks when she was run into by a Wal-Mart employee who was pushing a long-line of shopping carts;

6. The incident foisted bodily injury upon Akins and is being adjusted by Wal-Mart under claim #6124768;

7. As a direct and proximate result of the conduct complained of herein, plaintiff's existing conditions (if any) were aggravated to plaintiff's detriment. The burden of proof for such aggravation should be carried by defendant pursuant to *LaMoureaux v. Totem Ocean Trailer Express, Inc.*, 632 P.2d 539 (Alaska 1981) and *Tolan v. ERA Helicopters, Inc.*, 699 P. 2d 1265 (Alaska 1985);

8. Akins has, to the extent required by law, mitigated damages;

9. [AS 09.17.080] No person not now named in the caption hereof should be allocated a percentage of fault under AS 09.17.080 or otherwise;

10. Akins was without fault in causing the incident complained of or any of the damages sought by this Complaint;

11. Ex. 1 is an authentic and complete copy of the "Customer Accident Report";

12. Wal-Mart is responsible for Akins' injuries and should be held accountable for the resulting losses and injuries that are owing and unpaid to Akins;

### CAUSES OF ACTION

13. [Wrongful] Defendant Wal-Mart acted *wrongfully*, damaging Akins in an amount to be fairly decided by a judge or jury;

*Akins v. Wal-Mart* 4FA-12-\_\_\_\_\_ CI  
Civil Complaint For Damages  
Page -2-

Exhibit B  
Page 3 of 4 Pages

14. [Negligence] Defendant Wal-Mart acted *negligently or with other at-fault conduct*, damaging Akins in an amount to be fairly decided by a judge or jury;

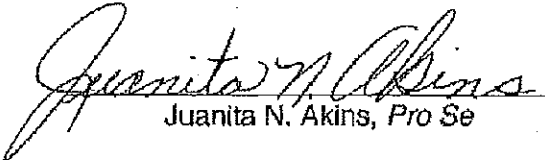
WHEREFORE, Akins prays for judgment against defendant Wal-Mart as follows:

1. For *general* economic and noneconomic damages according to proof at trial, but satisfying the jurisdictional requirement of this court, including without limits medical expenses, past and future [to the extent that the subrogated interest is not held by plaintiff's med pay carrier or insurer], lost wages, past and future, pain and suffering, past and future, lost enjoyment of life, past and future;

2. For *special* economic and noneconomic damages, past and future, according to proof at trial, but satisfying the jurisdictional requirement of this court;

3. For costs, interest, attorney fees and such other relief as the Court deems appropriate under Alaska Statutes, the Court rules, and in accordance with the facts alleged above.

DATED this \_\_\_\_ day of July, 2012.

  
Juanita N. Akins, Pro Se